

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
BRYSON CITY DIVISION  
DOCKET NO. 2:13-cv-00052-MOC

<b>BOBBY E. BURNLEY,</b>	)	
	)	
Plaintiff,	)	
	)	
Vs.	)	ORDER
	)	
<b>CAROLYN W. COLVIN, Acting Commissioner of</b>	)	
<b>Social Security,</b>	)	
	)	
Defendant.	)	

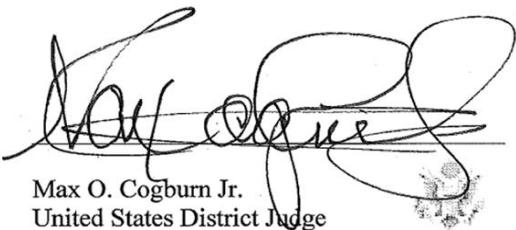
**THIS MATTER** is before the court on the Plaintiff's Motion for Fees Under the Equal Access to Justice Act 28 U.S.C. § 2412(d)(1)(A) filed on October 13, 2014. Having reviewed the motion, supporting materials, memorandum in support, and the case file the Court determines that Plaintiff should be awarded an attorney's fee under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d), in the amount of \$5,468.40, an amount as to which the Commissioner has agreed.

**ORDER**

**IT IS ORDERED** that the Plaintiff's Motion for Fees Under the Equal Access to Justice Act 28 U.S.C. § 2412(d)(1)(A) (#16) is **GRANTED**, and Plaintiff is awarded attorney fees in the amount of \$5,468.40, and that pursuant to

Comm'r of Soc. Sec. v. Ratliff, 560 U.S. ----, 130 S. Ct. 2521 (2010), which is subject to offset of any debt Plaintiff may owe to the United States. The Commissioner will determine within 30 days of this Order whether Plaintiff owes a debt to the United States. If so, the debt will be satisfied first, and if any funds remain, they will be made payable to Plaintiff and mailed to Plaintiff's counsel. If the United States Department of the Treasury reports to the Commissioner that the Plaintiff does not owe a federal debt, the government will pay the awarded fees directly to Plaintiff's counsel. No additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.

Signed: November 3, 2014



Max O. Cogburn Jr.  
United States District Judge